

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:06-cr-96-W**

**UNITED STATES OF AMERICA**

**vs.**

**(5) JUDERITA RUSSELL**

**ORDER**

THIS MATTER is before the Court on the United States' Motion to Abate Proceedings and Dismiss the Indictment as to Defendant Juderita Russell because of the death of Defendant Juderita Russell on or about January 27, 2009. (Doc. No. 221) It is hereby ORDERED that all proceedings against Defendant Russell are hereby abated, and the United States' Motion to Dismiss the Third Superseding Indictment against Defendant Russell only is hereby GRANTED.

The Clerk is directed to certify copies of this Order to the U.S. Probation Office, the U.S. Marshal Service, Reita P. Pendry, Esquire, and the United States Attorney's Office.

IT IS SO ORDERED.

Signed: October 19, 2009

  
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**Frank D. Whitney**  
United States District Judge 